

From: Starkweather & Associates

8017481030

03/27/2007 12:07

#043 P.010/013

App. No. 10/655,815
Attorney Docket No. 3016.2.4 NP

Amendments to the Drawings

None

App. No. 10/655,815
Attorney Docket No. 3016.2.4 NP

Remarks

Applicant thanks the Examiner for the Written Office Action.

With regard to the substantive portion of the Written Office Action, the Applicant was advised that should claims 16 and/or 25 be found allowable, claims 20 and/or 29 would be objected to as being a substantial duplicate thereof. Further, Claims 1-6, 8, 16, 17, 19-23, 25-27, 29 and 30 were rejected under 35 U.S.C. 102 (b) as being anticipated by Sales (US 5,469,598). Additionally, Claims 7, 9, 18, 24, 28, 31, and 32 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Sales in view of the Applicant's specification.

In response, the Applicant has amended Claims 1 and 16, canceled Claims 8, 20-24 and 29-32, and added Claims 33-36. Support for the foregoing amendments may be found in Figure 1, items 34 and 33; and in the specification, paragraphs 23-25. Accordingly, the Applicant believes no new matter has been added.

In response to the 102 (b) rejections the Applicant has amended claims 1, 16, and 25. Specifically, Claim 1 discloses a cleaning solution air compressor system configured to move the cleaning solution from the storage system, through the delivery system to the effluent storage system. Contrary to this, Sales teaches moving a cleaning solution through the system via a water pump 50 (Col. 6, lines 52-55) not an air compressor. Sales does teach the use of a vacuum compressor 88, however, the vacuum compressor functions and is designed for the heat exchanging process and works to move the heated gas through the system (Col. 6, lines 55-57, Col. 7, lines 1-4), not to mix the solutions and channel that solution to the textile.

App. No. 10/655,815
Attorney Docket No. 3016.2.4 NP

In response to the Examiner's rejection of Claims 7, 9, 18, and 28 based on an obvious combination of Sales with the carbonated cleaning solution, the Applicant is in respectful disagreement. First, there's no teaching, motivation or suggestion to combine the Sales and the carbonated cleaning solution. Indeed, Sales teaches away from using the carbonated cleaning solution in the Sales apparatus/system. The carbonated cleaning solution contains a mixture of acid and base solutions, which are highly corrosive and would seriously deteriorate and/or damage the water pump 50 in Sales. Therefore, one skilled in the art would not have considered using the carbonated cleaning solution in the system as taught in Sales.

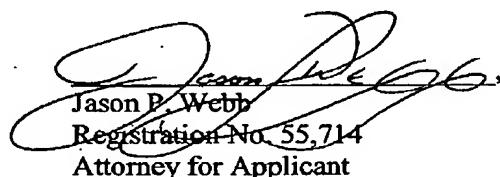
Additionally, Claim 16 has been amended to further distinguish the Applicant's invention over the prior art. Specifically, the flow rate is further clarified as occurring while the cleaning solution is being applied to the textile. In response to the Examiner's arguments, the Applicant respectfully disagrees the flow rate and the cleaning rate, as taught in Claim 25, would have been obvious to one skilled in the art. First, the Applicant's structure and setup are not the same as the structure taught in Sales, as described above (See paragraphs 26-30). Additionally, the flow rate and low volume of cleaning solution used (at least 50 sq. feet/gallon) provide a huge commercial benefit, decreasing costs, and are better for the environment, as well as being more gentle on carpets and textile. Nowhere in Sales is there any teaching, motivation or suggestion to use a lower flow rate or using lower volume of cleaning solution, conserving water, or even being directed towards being gentler on carpets and textiles. In reality, the objectives of Sales are directed towards heat exchangers (Col. 2, lines 15-35) and reheating the water; not decreasing water volume or protecting carpets. Indeed, a generic

App. No. 10/655,815
Attorney Docket No. 3016.2.4 NP

disclosure such as Sales does not render a specific disclosure obvious unless there is some suggestion in the art toward the claimed invention (In re Burckel, 201 U.S.P.Q. 67, 70 (CCPA 1979). Indeed Sales, as described above, does not include any suggestion but rather is directed towards heat exchange objectives.

For these reasons, it is believed that none of the prior art teaches the claimed invention. Furthermore, it is believed that the foregoing amendment has adequate support in the specification, and accordingly there should be no new matter. Applicant believes the pending claims have addressed each of the issues pointed out by the Examiner in the Office Action. In light of the foregoing amendment, the claims should be in a condition for allowance. Should the Examiner wish to discuss any of the proposed changes, Applicant again invites the Examiner to do so by telephone conference.

Respectfully Submitted,



Jason P. Webb
Registration No. 55,714
Attorney for Applicant

Date: 3/27/07

Jason P. Webb
Advantia Law Group
Starkweather and Associates
9035 South 1300 East
Suite 200
Sandy, Utah 84094
Telephone: 801/272-8368